

**Calendar No. 308**

108TH CONGRESS  
1ST SESSION

**S. 1146**

**[Report No. 108–165]**

To implement the recommendations of the Garrison Unit Joint Tribal Advisory Committee by providing authorization for the construction of a rural health care facility on the Fort Berthold Indian Reservation, North Dakota.

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IN THE SENATE OF THE UNITED STATES

MAY 23, 2003

Mr. CONRAD (for himself, Mr. DORGAN, and Mr. CAMPBELL) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

OCTOBER 15, 2003

Reported by Mr. CAMPBELL, with an amendment

[Omit the part struck through and insert the part printed in *italic*]

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**A BILL**

To implement the recommendations of the Garrison Unit Joint Tribal Advisory Committee by providing authorization for the construction of a rural health care facility on the Fort Berthold Indian Reservation, North Dakota.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Three Affiliated Tribes  
3 Health Facility Compensation Act”.

4 **SEC. 2. FINDINGS.**

5       Congress finds that—

6           (1) in 1949, the United States assumed juris-  
7 diction over more than 150,000 prime acres on the  
8 Fort Berthold Indian Reservation, North Dakota,  
9 for the construction of the Garrison Dam and Res-  
10 ervoir;

11          (2) the reservoir flooded and destroyed vital in-  
12 frastructure on the reservation, including a hospital  
13 of the Indian Health Service;

14          (3) the United States made a commitment to  
15 the Three Affiliated Tribes of the Fort Berthold In-  
16 dian Reservation to replace the lost infrastructure;

17          (4) on May 10, 1985, the Secretary of the Inte-  
18 rior established the Garrison Unit Joint Tribal Advi-  
19 sory Committee to examine the effects of the Garri-  
20 son Dam and Reservoir on the Fort Berthold Indian  
21 Reservation;

22          (5) the final report of the Committee issued on  
23 May 23, 1986, acknowledged the obligation of the  
24 Federal Government to replace the infrastructure  
25 destroyed by the Federal action;

1           (6) the Committee on Indian Affairs of the Sen-  
2       ate—

3           (A) acknowledged the recommendations of  
4       the final report of the Committee in Senate Re-  
5       port No. 102–250; and

6           (B) stated that every effort should be  
7       made by the Administration and Congress to  
8       provide additional Federal funding to replace  
9       the lost infrastructure; and

10          (7) on August 30, 2001, the Chairman of the  
11       Three Affiliated Tribes testified before the Com-  
12       mittee on Indian Affairs of the Senate that the  
13       promise to replace the lost infrastructure, particu-  
14       larly the hospital, still had not been kept.

15 **SEC. 3. RURAL HEALTH CARE FACILITY, FORT BERTHOLD**  
16 **INDIAN RESERVATION, NORTH DAKOTA.**

17       The Three Affiliated Tribes and Standing Rock Sioux  
18       Tribe Equitable Compensation Act is amended—

19           (1) in section 3504 (106 Stat. 4732), by adding  
20       at the end the following:

21       “(c) AUTHORIZATION OF APPROPRIATIONS.—There  
22       are authorized to be appropriated such sums as are nec-  
23       essary to carry out this section.”; and

24           (2) by striking section 3511 (106 Stat. 4739)  
25       and inserting the following:

1 **“SEC. 3511. RURAL HEALTH CARE FACILITY, FORT**  
 2 **BERTHOLD INDIAN RESERVATION, NORTH**  
 3 **DAKOTA.**

4 “There is authorized to be appropriated to the Sec-  
 5 retary of Health and Human Services for the construction  
 6 of a rural health care facility on the Fort Berthold Indian  
 7 Reservation of the Three Affiliated Tribes, North Dakota,  
 8 \$20,000,000.”.

9 **“SEC. 3511. RURAL HEALTH CARE FACILITY, FORT**  
 10 **BERTHOLD INDIAN RESERVATION, NORTH**  
 11 **DAKOTA.**

12 “There are authorized to be appropriated to the Sec-  
 13 retary of Health and Human Services \$20,000,000 for the  
 14 construction of, and such sums as are necessary for other  
 15 expenses relating to, a rural health care facility on the Fort  
 16 Berthold Indian Reservation of the Three Affiliated Tribes,  
 17 North Dakota.”.



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